

Civilian Oversight Board Meeting

Open Session Minutes

Location: 1520 Market, Room 4029

(via video conference)

April 19, 2021

5:00 p.m.

I. Welcome and Call to Order

Open Session called to order at 5:04 p.m. via video conference

II. Roll Call

Present: Bradley Arteaga, Jane Abbott-Morris, David Bell, Ciera Simril, Frank Copanas (non-voting member), and Stephen H. Rovak, Chair

III. Vote to go into closed session

MOTION

A motion was made by Stephen H. Rovak to go into closed session for the following purpose to:

- a. Have confidential communication with legal counsel concerning legal causes of action pursuant to Section 610.021(1), RSMo. and/or
- b. Discuss matters relating to the hiring, firing, disciplining or promoting of particular employees, pursuant to Section 610.021(3), RSMo.

Seconded by Ciera Simril

Roll Call vote was as follows:

Ciera Simril	Aye
David Bell	Aye
Jane Abbott-Morris	Aye
Bradley Arteaga	Aye
Stephen Rovak	Aye

The motion carried by a unanimous vote of 5-0

IV. Approval of March 15, 2021 Open Meeting Minutes

MOTION

A motion was made by Bradley Arteaga to approve the Open meeting minutes from March 15, 2021. Seconded by Jane Abbott-Morris

Roll Call vote was as follows:

Ciera Simril	Aye
David Bell	Aye
Jane Abbott-Morris	Aye
Bradley Arteaga	Aye
Stephen Rovak	Aye

The motion carried by a unanimous vote of 5-0

V. Cases Under Discussion from Closed Session April 19, 2021

Discussion of COB-20-0009: On March 13, 2019, the complainant filed a Joint Civilian Complaint Form (JCCF) that alleged St. Louis Metropolitan Police Department (SLMPD) officers detained him. They treated him disrespectfully by leaving him handcuffed in the pouring rain for over an hour. The complainant further alleged that an SLMPD officer sexually assaulted him while conducting a physical pat-down search which resulted in an injury to the genital area. The COB categorized this complaint as Discourtesy and Excessive Use of Force. IAD did not classify this complaint.

On January 6, 2021, IAD submitted its investigative report to COB approximately one (1) year and nine (9) months after the filing date. The IAD report did not address Allegation A, or Allegation B. IAD closed this investigation stating that “This investigation has ended due to lack of evidence and the IAD’s inability to contact the complainant. “ Although IAD indicated that they were unable to contact the complainant, COB noted that IAD interviewed the complainant on July 9, 2020, in the presence of the COB Commissioner and the assigned COB Legal Investigator. The IAD investigation consisted of the following:

- I/Leads report 19-018527, which documented this incident.
- SLMPD’s expert on defensive tactics, Sergeant Frederick Lathan/DSN 5240, reviewed the officer’s actions and did not find any fault in the officers’ actions. The COB staff questioned, “Why was it necessary for the defensive tactics expert to review this

incident? The involved officers did not indicate that the complainant was non-cooperative or combative.

- IAD could not locate any in-car camera footage of this incident.
- On 7/24/20, IAD asked the residents at 1310 Bayard and 1318 Bayard if they had witnessed the incident. The incident occurred on 4/25/19. IAD attempted to contact witnesses approximately one (1) year and three (3) months after the incident.

Based on the review of the above evidence submitted by IAD, the COB staff disagrees with the IAD's disposition that Allegation A and B be closed without a finding. IAD did not conduct a complete investigation per SLMPD Special Order 06-02. Therefore, based on the IAD's incomplete investigation, COB staff recommended that the Board authorize an Independent Inquiry.

. MOTION

A motion was made by Stephen H. Rovak to ratify the decision from the closed session to authorize the staff to conduct an independent inquiry. Seconded by Ciera Simril

The Motion carried by a unanimous vote of 5-0.

Discussion of COB-20-0022:

On October 29, 2020, the complainant filed a Joint Civilian Complaint Form (JCCF) that alleged that St. Louis Metropolitan Police Department (SLMPD) officers were contacted via 911 and the "complainant felt she did not receive proper service." when the dispatched officers responded. The COB categorized this complaint as Discourtesy. IAD classified this complaint as a Citizen Contact (CC).

On January 29, 2021, IAD submitted its investigative report to COB approximately ten (10) months after the filing date. The IAD report stated that the complainant attached a form that listed dates/calls made to 911, and based on that information, the complaint involved the Officers/Sergeants from both the 5th District and the 6th District. The IAD report did not address Allegation A and stated that "the complainant's focus [was] around her juvenile son. [The] complainant feels that her juvenile son needed to be arrested and held for various crimes he allegedly committed. The IAD report also stated that "the complainant needs services that are mainly out of the purview of the Police Department." Therefore, the complainant was referred to the Juvenile Division for information on the services they offer.

Based on the review of the IAD report, COB staff disagrees with IAD's disposition that Allegation A is closed without a finding as a Citizen Contact. Based on the IAD's incomplete investigation for COB-20-0022, the COB staff recommended that the Board authorize an Independent Inquiry.

MOTION

A motion was made by Stephen H. Rovak to ratify the decision from the closed session to authorize the staff to conduct an independent inquiry. Seconded by Ciera Simril.

The Motion carried by a unanimous vote of 5-0

- I. Follow up on COB-17-0042 SLMPD Response of Memorandum pertaining to this case was presented to the Board regarding additional discipline.

The Board made no further recommendation involving this case

- VI. Request for Authorization to send Memorandum

This discussion was tabled to allow the new administrations to settle in.

- VII. Community Service Presentation Follow Up

If any board members will be engaging in any outreach, please let us know so we can keep track. Ciera Simril attended a meeting last month and discussed the Board. We have received positive feedback as a result. Ciera Simril also has been getting invitations to a few meetings, but has not yet decided if she will attend all of them.

- VIII. Quadrennial Report Update

We are still trying to get the final draft approved.

- IX. Adjournment

MOTION

A motion was made by Stephen H. Rovak to end the open session. Seconded by Ciera Simril.

The Motion carried by a unanimous vote of 5-0.

Meeting adjourned at 5:22 p.m.

The next Monthly meeting will be held on May 17, 2021.